

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re: Chapter 11

SquareTwo Financial Services Corporation Case No. 17-10659-JLG  
and CACH, LLC, et al<sup>1</sup>, Jointly Administered  
Debtors.

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**STIPULATION AND ORDER PURSUANT TO 11 U.S.C. §**  
**362(d) MODIFYING THE AUTOMATIC**

CACH, LLC ("Debtor") and Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not individually but as trustee for Premium Mortgage Acquisition Trust (the "Creditor"), by and through their respective counsel, hereby enter into this Stipulated Order (the "Stipulated Order") pursuant to 11 U.S.C. Section 362. In support hereof, Debtor and Creditor (collectively, the "Parties") represent the following:

**WHEREAS**, CACH, LLC, along with its affiliated Debtors filed a petition for relief respectively under Chapter 11 of the Bankruptcy Code on March 19, 2017;

**WHEREAS**, The Creditor is the holder of a Note and Mortgage, dated April 19, 2006, given by Shahrin Chowdhury (the "Mortgagor") in the original principal amount of \$417,000.00 pledging certain collateral known as 5020 63<sup>rd</sup> Street, Woodside, New York 11377 (the "Mortgaged Property ") as security; and

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<sup>1</sup> The Debtors in these chapter 11 cases and the last four digits of each Debtor's federal taxpayer identification number and/or Canadian equivalent are as follows: Astrum Financial, LLC (2265); Autus, LLC (2736); CA Internet marketing, LLC (7434); CACH, LLC d/b/a Fresh View Funding (6162); CACV of Colorado, LLC (3409); CACV of New Jersey, LLC (3499); Candeo, LLC (2809); CCL Financial Inc. (7548); Collect Air, LLC (7987); Collect America of Canada, LLC (7137); Healthcare Funding Solutions, LLC(2985); Metropolitan Legal Administration Services, Inc. (6811); Orsa, LLC (2864); Preferred CreditResources Limited (0637); ReFinance America, Ltd. (4359); SquareTwo Financial Canada Corporation (EIN:1034; BN: 0174); SquareTwo Financial Corporation (1849); and SquareTwo Financial Services Corporation d/b/a Fresh View Solutions (5554). The Debtors' executive headquarters are located at 6300 South Syracuse Way, Suite 300, Centennial, CO 80111.

**WHEREAS**, The Mortgagor defaulted on the payments due under the Note by failing to make the monthly payment due Creditor on April 1, 2010 and each payment thereafter. Creditor commenced a foreclosure action in the Supreme Court of the State of New York, County of Queens, on or about July 13, 2015.

**WHEREAS** the Debtor holds a judgment against the Premises, which is subordinate to the Creditor's lien, located at Control No. 001366992-01, Index No. CV051197-07/QU. The Debtor is a named defendant in the aforementioned foreclosure action.

**NOW, THEREFORE**, it is hereby stipulated and agreed as between the Parties to this Stipulation and Order, through their undersigned counsel; and after due deliberation and sufficient cause appearing, it is hereby

**ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Request is granted as set forth herein.
2. To the extent applicable, the automatic stay imposed in this case by section 362(a) of the Bankruptcy Code is modified under section 362(d) of the Bankruptcy Code to the extent necessary to allow Requesting Party to commence and/or complete the foreclosure of the mortgage and security interest it holds on the Mortgaged Property.
3. This Stipulation and Order may not be modified other than by a signed writing executed by the Parties hereto or by further order of the Court.
4. This Stipulation and Order may be executed in multiple counterparts, each of which shall be deemed an original but all of which when taken together shall constitute one and the same instrument.
5. Pursuant to Bankruptcy Rule 4001(a)(3), the 14-day stay of this Stipulation and Order imposed by such Bankruptcy Rule is waived. Requesting Party is authorized to implement the provisions of this Stipulation and Order immediately upon its entry.

6. This Court shall retain jurisdiction with respect to all matters arising from or related to the implementation and interpretation of this Stipulation and Order.
7. Upon the sale of the Mortgaged property, the requesting party, or its agent, successors, or assigns shall provide a report of any surplus to the Debtor.

CACH, LLC.

By: 

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*Counsel for CACH, LLC.*  
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Wilmington Savings Fund Society, FSB, d/b/a  
Christiana Trust, not individually but as trustee  
for Premium Mortgage Acquisition Trust

By: 

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*Christiana Trust, not individually but as trustee for Premium*  
*Mortgage Acquisition Trust*  
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(914) 345-3020

Dated: \_\_\_\_\_  
New York, New York

The Honorable James L. Garrity, Jr.  
United States Bankruptcy Judge